



**MOTOROLA**

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Intellectual Property Section  
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**SEP 16 2005**

**13** Number of Pages (Including this page)

**Date:** September 16, 2005

**To:** Examiner Tran, Thien D. - Group 2665

**Location:** United States Patent and Trademark Office

**Fax No.:** 571-273-8300

**From:** Jeffrey K. Jacobs (Registration No. 44,798)

**Subject:** Serial No. 10/027,488 -Needham et al.

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**MESSAGE:**

Enclosed herewith, please find a RESPONSE Office Action for filing in the below-identified application.

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Tran, Thien D.
GROUP ART UNIT:	2665
SERIAL NO.:	10/027,488
FILED:	December 20, 2001
INVENTOR:	Needham et al.
ATTORNEY DOCKET NO.:	CM03852H

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/027,488	
	Filing Date	December 20, 2001	
	First Named Inventor	Needham et al.	
	Group Art Unit	2665	
	Examiner Name	Tran, Thlen D.	
Total Number of Pages in this Submission	Attorney Docket Number	CM03852H	

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ENCLOSURES <span style="float: right;">(check all that apply)</span>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE <input type="checkbox"/> Copy of Notice to File Missing Parts <input type="checkbox"/> Transmittal of Formal Drawings <input type="checkbox"/> Response to Notice of Non- Recording of Document
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Jeffrey K. Jacobs	Registration No.	44,798
Signature			
Date	September 16, 2005		

CERTIFICATE OF TRANSMISSION	
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number 571-273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:</p>	
Typed or printed name	Jeffrey K. Jacobs
Signature	
Date	September 16, 2005

(PTO/SB/171 (11-04)) <b>PROCESSING FEE</b> <b>Under 37 CFR 1.17(i)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Complete if Known</th> </tr> <tr> <td style="width: 60%;">Application Number</td> <td>10/027,488</td> </tr> <tr> <td>Filing Date</td> <td>December 20, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Needham et al.</td> </tr> <tr> <td>Art Unit</td> <td>2665</td> </tr> <tr> <td>Examiner Name</td> <td>Tran, Thien D.</td> </tr> <tr> <td>Attorney Docket No.</td> <td>CM03852H</td> </tr> </table>	Complete if Known		Application Number	10/027,488	Filing Date	December 20, 2001	First Named Inventor	Needham et al.	Art Unit	2665	Examiner Name	Tran, Thien D.	Attorney Docket No.	CM03852H
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Examiner Name	Tran, Thien D.														
Attorney Docket No.	CM03852H														

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**Payment of Fees** (small entity amounts are NOT available for the petition fees)

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☐ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments  
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☐ Check in the amount of \$\_\_\_\_\_ is enclosed.

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Processing Fees under 37 CFR 1.17(i):	Fee \$130	Fee Code 1808 for all, except for § 1.221 papers (Fee Code 1803)
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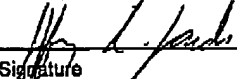
For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.88(a) - for processing a belated submission under § 1.89.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. Fee Code 1803.
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.487(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee

SUBMITTED BY			
Signature		Registration No. 44,798	Telephone 847/576-5562
Name (Print/Type)	Jeffrey K. Jacobs	Date	September 16, 2005

# **AFTER FINAL** **EXPEDITED PROCEDURE**

I hereby certify that this correspondence is being transmitted via facsimile  
to the Assistant Commissioner for Patents at (571) 273-8300  
(Attention: Examiner Thien Tran)  
on September 16, 2005.

 9/16/05  
Signature date

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- PATENT -

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Needham et al.	EXAMINER:	Tran, Thien D
SERIAL NO.:	10/027,488	GROUP:	2665
FILED:	12/20/2001	CASE NO.:	CM03852H
ENTITLED:	METHOD AND APPARATUS FOR CDMA-DISPATCH SOFT HANDOFF		

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Motorola, Inc.  
Corporate Offices  
1303 E. Algonquin Road  
Schaumburg, IL 60196  
September 16, 2005

## **AFTER FINAL RESPONSE**

Honorable Assistant Commissioner of  
Patents and Trademarks  
Alexandria, VA 22313-1450

Sir:

In view of the issues raised in the office action mailed June 16, 2005, the following response is hereby respectfully submitted by the applicants. Reconsideration of any outstanding objections and/or rejections and allowance of the present application are respectfully requested.